

Richard L. Bolton

From: Walton, Benjamin <Benjamin.Walton@oag.texas.gov>
Sent: Thursday, June 25, 2020 12:29 PM
To: Richard L. Bolton; Mackin, Anna
Cc: Holt, Jennifer
Subject: RE: FFRF/Abbott

EXHIBIT
B

Hi Rich,

Sorry for the delay in getting back to you. We wanted to inform you that the Preservation Board is in the process of adopting a new rule that may moot the First Amendment claim by making the Capitol exhibits government speech instead of citizen speech. The proposed rule is publicly available, but a final rule has not yet been promulgated.

Thanks,
Ben

From: Richard L. Bolton <rbolton@boardmanclark.com>
Sent: Thursday, June 25, 2020 1:18 AM
To: Mackin, Anna <Anna.Mackin@oag.texas.gov>; Walton, Benjamin <Benjamin.Walton@oag.texas.gov>
Subject: Fwd: FFRF/Abbott

Hi Anna: Is it the position of the State that you cannot agree to the form of any prospective relief? Rich
Sent from my iPhone

Begin forwarded message:

From: "Richard L. Bolton" <rbolton@boardmanclark.com>
Date: June 23, 2020 at 1:02:00 PM CDT
To: "Mackin, Anna" <Anna.Mackin@oag.texas.gov>, "Walton, Benjamin" <Benjamin.Walton@oag.texas.gov>
Subject: FW: FFRF/Abbott

Any thoughts?



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From: Richard L. Bolton
Sent: Tuesday, June 16, 2020 4:47 PM
To: Mackin, Anna <Anna.Mackin@oag.texas.gov>; Walton, Benjamin <Benjamin.Walton@oag.texas.gov>
Subject: FFRF/Abbott

Good Afternoon in Austin: I attach some language to consider regarding the prospective relief issue. I have not included the unbridled discretion issue in the mix yet to see if we can reach agreement on one issue at a time. Rich



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